



ILLINOIS COMMERCE COMMISSION

March 19, 2004

Williamson County, Illinois and Regional Economic Development Corporation,
a Not-for-profit corporation
Petitioners

Vs.

The Burlington Northern and Santa Fe Railway Company and Illinois Department
of Transportation
Respondents

T04-0025

Petition seeking an Order of the Commission to close a railroad grade crossing in
Williamson County, Illinois, and to open and establish a new public grade
crossing in Williamson County over a line of railroad of The Burlington Northern
and Santa Fe Railway Company.

Mr. John H. Doeringer
Attorney
21470 Main Street, #108
Matteson, IL 60443

Dear Mr. Doeringer:

Receipt is acknowledged of the original and one (1) copy of the Petition filed March 15, 2004 in the
above matter.

**All future correspondence/pleadings should be filed with an original and two (2) copies and
addressed to: Mr. Dave Lazarides, Acting Director of Processing, Illinois Commerce Commission,
527 E. Capitol Avenue, Springfield, IL 62701 or you may file electronically through E-Docket if you
have an account. To apply for an account, please log on to www.icc.state.il.us and apply for an E-
docket account.**

Processing and Information Section

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cc: Mr. Victor A. Modeer, IDOT
Mr. W. Douglas Werner, BNSF
Ms. Cheryl Townlian, BNSF
CT Corporation System, BNSF
Mr. James Webb, Williamson County

ORIGINAL

BEFORE THE ILLINOIS COMMERCE COMMISSION

WILLIAMSON COUNTY, ILLINOIS

and

REGIONAL ECONOMIC DEVELOPMENT CORPORATION,

a Not-for-profit corporation

PETITIONERS

vs.

THE BURLINGTON NORTHERN AND SANTA FE RAILWAY

COMPANY and

ILLINOIS DEPARTMENT OF TRANSPORTATION

RESPONDENTS

704-0025

Petition seeking an Order of the Commission to close a railroad grade crossing in Williamson County, Illinois, and to open and establish a new public grade crossing in Williamson County over a line of railroad of The Burlington Northern and Santa Fe Railway Company

ILLINOIS COMMERCE
COMMISSION
2004 MAR 15 P 2:40
TRANSPORTATION DIV

PETITION

Come now Williamson County, Illinois, a governmental body, and Regional Economic Development Corporation, a not-for-profit corporation with offices in Williamson County, Illinois (hereinafter REDCO), and Petition this Commission for the entry of an order:

1. to close an existing public railroad grade crossing in Williamson County where Township Road 253A crosses the main line of the Burlington Northern and Santa Fe Railway Company (hereinafter BNSF) Township Road 253A at Railroad Milepost 177.73, DOT inventory 068973S, north of State Route 13;

DOCKETED

MAR 19 2004

2. to open and establish a new public grade crossing in Williamson County over the main line of BNSF 0.1 mile south of Township Road 253A, at railroad milepost 177.83, to serve the new REDCO Road.

I. Parties to this Petition

1. Williamson County, Illinois, is a governmental body existing in the southern part of Illinois. It has a variety of industries and formerly had extensive coal mining. The largest cities are Marion and Herrin.
2. Regional Economic Development Corporation (REDCO) is a not-for-profit corporation owned and controlled by Williamson County, the cities of Marion and Herrin, and other public bodies. REDCO works closely with county, municipal and private parties to foster industrial development in Williamson County. For the purposes here, REDCO's interest is the same as that of Williamson County.
3. Respondent The Burlington Northern and Santa Fe Railway Company (BNSF) is a class one major railroad operating in the State of Illinois and in Williamson County.
4. Respondent Illinois Department of Transportation (IDOT) is an agency of the State of Illinois.

II. Closure of Crossing of TR 253A;

The Proposed New Grade Crossing

5. The grade crossing sought to be closed is that of Township Road 253A, at railroad milepost 177.73. This crossing is barely passable; it is believed that fewer than 50 vehicles per day used it in the past. This crossing serves no useful purpose. The proposed new crossing is at milepost 177.83, 0.1 mile to the south, and it is needed to serve the REDCO industrial complex. An attached area plat/drawing depicts the railroad, the crossings, and nearby roads and buildings.

6. Williamson County is in the process of building a new east-west road, identified as REDCO Road, between the industrial complex on the west and existing roads to the east thereof. All of the roads to be built will be on land owned by REDCO, with easements granted to the County for operation and maintenance. This road will cross the BNSF main line at the new grade crossing at milepost 177.83. This road should have an average daily traffic count of over 3000 vehicles within three years. Automatic flashing lights and gates are necessary at this new crossing to assure public safety.

7. From a distance of 221 feet from the proposed crossing, a motorist will have a clear vision of the railroad line for a distance of 500 feet to the north or south of the crossing. To the south of the crossing, the railroad is in part in a cut, which somewhat restricts lateral vision. From a distance of 25 feet from the crossing, there is a clear sight distance of some 1200 feet of the railroad. Williamson County and REDCO will keep the roadway and adjacent lands clear of vegetation and obstructions to view, as far as possible.

III Railroad Operations

8. BNSF's management has indicated that trains operate in this area at 49 miles per hour maximum; also that normally 7 to 10 freight trains operate daily. The railroad is a single track main line.

9. Williamson County and BNSF are in the process of writing an agreement for the construction of the crossing and for the requirements of the parties.

10. The success of the REDCO industrial part, both east and west of the BNSF railroad line, is of vital interest to the people of Williamson County and adjacent areas. The new grade crossing will allow orderly expansion of roads in the park, promoting industrial development and new job opportunities. State and federal funds are being made available for the entire project, including the new grade crossing and protective signals. No money from the Grade Crossing Protection Fund is needed.

V. Relief Sought

Petitioners seek the entry of an Order as follows:

1. Requiring the establishment of a new public railroad grade crossing, permitting Williamson County to establish and maintain a new highway that will cross the main line of BNSF at milepost 177.83, to be built at the expense of Petitioners;
2. Requiring permanent closure of crossing TR 253A at milepost 177.73 in Williamson County;
3. Requiring the new crossing to be equipped with automatic flashing light signals and crossing gates;
4. Requiring Respondent BNSF thereafter to maintain the crossing, the automatic flashing light signals and gates at the cost and expense of said Respondent;
5. Finding that the proposed new grade crossing is in the public interest, and that the public interest also permits the closure of crossing TR 253A in Williamson County.

VI. Other Matters

Accompanying this Petition is an engineering plat/drawing showing the area where the new crossing is to be built and the old crossing closed, along with roads in the general area.

The County Board of Williamson County, and the Board of Directors of REDCO, have both taken formal action supporting this Petition.

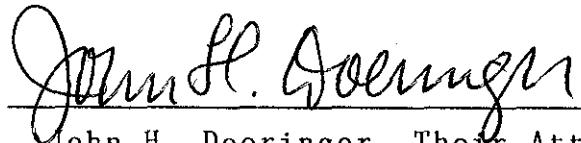
Copies of this Petition are being served upon the appropriate representatives of the Respondents.

Dated this 12th day of March, 2004.

WILLIAMSON COUNTY, ILLINOIS

REGIONAL ECONOMIC DEVELOPMENT CORPORATION

By:



John H. Doeringer, Their Attorney

21470 Main Street
Matteson, IL 60443
Tel. 798-748-0301
Fax 708-748-4070

CERTIFICATE OF SERVICE

I hereby certify that I have served true and correct copies of the foregoing Petition and the accompanying drawing upon the following persons via express carrier:

Mrs. Cheryl Townlian, Engineer Public Works
Burlington Northern & Santa Fe Railway Company
3253 E. Chestnut Expressway, Springfield MO 65802

Mr. Jeffrey Harpring, Bureau of Local Roads
Illinois Department of Transportation
2300 Dirksen Parkway, Springfield IL 62764

Dated this 12th day of March, 2004.

